

UNITED STATES OF AMERICA :
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 :
 v. : File No. 2:03 CR 147
 :
 JOSH TURNER :

The Report and Recommendation of the United States Magistrate Judge was filed November 21, 2008. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

The petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2255 (Paper 546) is **DENIED**.

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make a substantial showing of denial of a federal right. Furthermore, the petitioner's grounds for relief do not present issues which are debatable among jurists of reasons, which could have been resolved differently, or which deserve further proceedings. See e.g., Flieger v. Delo, 16 F.3rd 878, 882-83 (8th Cir.) cert. denied, 513 U.S. 946 (1994); Sawyer v. Collins, 986 F.2d 1493, 1497 (5th cir.), cert. denied, 508 U.S. 933 (1993).

Furthermore, it is certified that any appeal taken *in forma pauperis* would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

THIS CASE IS CLOSED.

Dated at Burlington, in the District of Vermont, this 12th day of February, 2009.

/s/ William K. Sessions III
William K. Sessions III
Chief Judge
U.S. District Court